

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of REM et al.

Confirmation No. 9489

Application No. 10/549,493

Examiner:

Filed: September 15, 2005

Group Art Unit:

For: METHOD AND DEVICE FOR THE SEPARATION OF PARTICLES

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C 371

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In the above-identified application, Applicants have received a Notification of Missing Requirements Under 35 U.S.C 371, mailed November 17, 2006, indicating that the oath was missing. Additionally, the Annexes were not entered because there was not a page for substitution. Applicants hereby submit the Declaration for the above-identified application signed by the inventors. The Commissioner is hereby authorized to charge Deposit Account No. 50-0951 in the amount of \$65.00 for the surcharge required under 37 C.F.R. §1.492(e). The Commissioner is further authorized to charge any underpayment to Deposit Account No. 50-0951. With respect to the defect regarding the Annex, Applicant's counsel spoke with Tamala Holland at the Patent Office who advised that the appropriate course of action was to refile our preliminary amendment. Accordingly, Applicants submit herewith a preliminary amendment which should replace the preliminary amendment filed with the application on September 15, 2005. The enclosed preliminary amendment amends claim 1 from the claim as originally filed, as opposed to the claim for the Annex. A copy of the Notification of Missing Requirements Under 35 U.S.C 371 dated November 17, 2006 is enclosed. Examination on the merits is respectfully requested.

Respectfully submitted,

Date: \_\_\_\_\_

1-10-07



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Docket No. 6900-24


**UNITED STATES PATENT AND TRADEMARK OFFICE**

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
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 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/549,493	Peter Carlo Rem	6900-24

INTERNATIONAL APPLICATION NO.	
PCT/NL04/00186	
LA. FILING DATE	PRIORITY DATE
03/16/2004	03/17/2003

30448  
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**CONFIRMATION NO. 9489**

**371 FORMALITIES LETTER**



\*OC000000021267979\*

Date Mailed: 11/17/2006

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 09/15/2005
- Copy of the International Search Report filed on 09/15/2005
- Copy of IPE Report filed on 09/15/2005
- Copy of Annexes to the IPER filed on 09/15/2005
- Preliminary Amendments filed on 09/15/2005
- Information Disclosure Statements filed on 09/15/2005
- U.S. Basic National Fees filed on 09/15/2005
- Priority Documents filed on 09/15/2005
- Specification filed on 09/15/2005
- Claims filed on 09/15/2005
- Abstracts filed on 09/15/2005
- Drawings filed on 09/15/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

**SUMMARY OF FEES DUE:**

Total additional fees required for this application is \$65 for a Small Entity:

- \$65 Surcharge.

Additionally the following defects have been observed:

- Annexes have not been entered because not a page for page substitution.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.  
<https://portal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

**If you are not using EFS-Web to submit your reply, you must include a copy of this notice.**

TAMALA D HOLLAND

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**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/549,493	PCT/NL04/00186	6900-24